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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11) CASE NO. CV _____ DT
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14) **ORDER FOR COURT TRIAL:**
15)

16) **1. Establishing a Discovery**
17) **Cut Off Date of _____**
18)

19) **2. Setting the Final Pre-Trial**
20) **Conference for _____**
21) **at 1:30 P.M.**
22)

23) **3. Setting _____ at**
24) **9:30 A.M. as the**
25) **Trial Date**
26)

27) **4. Re: Preparation for COURT**
28) **TRIAL: Findings of Fact &**
Exhibits

Plaintiff(s),

vs.

Defendant(s).

SCHEDULING:

1. **In General:** All motions to join other parties or to amend the pleadings shall be filed and served within sixty (60) days of the date of this order and noticed for hearing within ninety (90) days hereof. All unserved parties are subject to dismissal at the time of the Final Pre-Trial Conference.

1 specified above except in unusual circumstances and upon a showing of
2 good cause.

3 E. Discovery Motions: Any motion asserting the
4 inadequacy of responses to discovery must be filed and served not
5 later than ten (10) days after the discovery cut-off date.
6 Whenever possible, the Court expects counsel to resolve discovery
7 problems among themselves in a courteous, reasonable and professional
8 manner. Consistent resort to the Court for guidance in discovery is
9 unnecessary and will result in the Court appointing a Special Master
10 at the joint expense of the parties to resolve discovery disputes.
11 The Court expects that counsel will strictly adhere to the Civility
12 and Professional Guidelines adopted by the United States District
13 Court for the Central District of California in July of 1995.

14 F. Disclosure of Expert Testimony: Pursuant to
15 Fed.R.Civ.P. P. 26(a)(2)(c), a party shall make all disclosures
16 required at the time and in the sequence directed by the Court. On
17 the absence of other directions from the Court or stipulation by the
18 parties, the disclosures shall be made at least 90 days before the
19 trial date or the date the case is to be ready for trial, or, if the
20 evidence is intended solely to contradict or rebut evidence on the
21 same subject matter identified by another party under paragraph
22 (2)(B), within 30 days after the disclosure made by the other party.
23 The parties shall supplement these disclosures when required under
24 subdivision (e)(1).

1 FINAL PRE-TRIAL CONFERENCE:

2 This case has been placed on calendar for a Final Pre-Trial
3 Conference pursuant to Fed.R.Civ.P. 16. Unless excused for good
4 cause, each party appearing in this action shall be represented at
5 the Final Pre-Trial Conference, and all pre-trial meetings of
6 counsel, by the attorney who is to have charge of the trial on behalf
7 of such party.

8 STRICT COMPLIANCE WITH THE REQUIREMENT OF FED.R.CIV.P. 26 AND
9 LOCAL RULES ARE REQUIRED BY THE COURT. Therefore, carefully prepared
10 Memoranda of Contentions of Fact and Law, Witness List, and Exhibit
11 List shall be submitted to the Court by each party.

12 The Memoranda of Contentions of Fact and Law, Witness Lists and
13 Exhibit Lists are due twenty-one (21) days before the Final Pre-Trial
14 Conference.

15 If expert witnesses are to be called at trial, each party shall
16 list and identify their respective expert witnesses. Failure of a
17 party to list and identify an expert witness shall preclude a party
18 from calling an expert witness at trial. If expert witnesses are to
19 be called at trial, the parties shall exchange at the Final Pre-Trial
20 Conference short narrative statements of the qualifications of the
21 expert and the testimony expected to be elicited at trial. If
22 reports of experts to be called at trial have been prepared, they
23 shall be exchanged at the Final Pre-Trial Conference, but shall not
24 substitute for the narrative statements required.

25 TRIAL PREPARATION FOR COURT TRIAL - MOTIONS, FINDINGS OF FACT AND
26 EXHIBITS:

1 THE COURT ORDERS that all counsel comply with the following in
2 their preparation for trial:

3 1. MOTIONS IN LIMINE:

4 All motions in limine must be filed and served a minimum
5 of forty-five (45) days prior to the scheduled trial date. Each
6 motion should be separately filed and numbered. All opposition
7 documents must be filed and served at least twenty (20) days prior to
8 the scheduled trial date. All reply documents must be filed and
9 served at least five (5) days prior to the scheduled trial date.

10 All motions in limine will be heard on the scheduled trial
11 date.

12 2. FINDINGS OF FACT AND CONCLUSION OF LAW:

13 Twenty-one (21) days before the trial date, all counsel
14 are to have prepared proposed findings of fact and conclusions of
15 law. Three copies are to be served on opposing counsel, and the
16 original and one copy are to be lodged with the Court.

17 Upon receiving these proposed findings of fact and
18 conclusions of law from opposing counsel, each party shall:

- 19 (1) Underline with red pencil those portions which it
20 disputes;
- 21 (2) Underline with blue pencil those portions which it
22 admits;
- 23 (3) Underline in yellow pencil those portions which it
24 does not dispute, but deems irrelevant.

25 In this connection, counsel are to note that they need not come to a
26 uniform conclusion as to an entire proposed finding, or, indeed an
27

1 entire sentence within a proposed finding. They may agree with part
2 of it, disagree with part of it, and/or consider a portion of it
3 irrelevant.

4 Seven (7) days before the trial date, each counsel shall
5 file two marked copies of opposing counsel's proposed findings of
6 fact and conclusions of law with the Court, and return one marked
7 copy to the opposing counsel.

8 The parties shall be prepared to submit to the Court, and
9 to exchange among themselves, supplemental findings of fact and
10 conclusions of law during the course of the trial, with respect to
11 which the same underlining procedure may be ordered.

12 3. TRIAL EXHIBITS:

13 Counsel are to prepare their exhibits for presentation at the
14 trial by placing them in binders which are indexed by exhibit number
15 with tabs or dividers on the right side. Counsel shall submit to the
16 Court an original and one copy of the binders. The exhibits shall be
17 in a three-ring binder labelled on the spine portion of the binder as
18 to the volume number and contain an index of each exhibit included in
19 the volume. Exhibits must be numbered in accordance with
20 Fed.R.Civ.P. 16 and 26 and the Local Rules.

21 The Court requires that the following be submitted to the
22 Courtroom Deputy Clerk on the first day of trial:

23 A. The original exhibits with the Court's exhibit tags,
24 yellow tags for plaintiff and blue tags for defendant shall be
25 stapled to the front of the exhibit on the upper right-hand corner
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1 with the case number, case name, and exhibit number placed on each
2 tag.

3 B. One bench book with a copy of each exhibit for use by
4 the Court, tabbed with numbers as described above. (Court's exhibit
5 tags not necessary.)

6 C. Three (3) copies of exhibit lists.

7 D. Three (3) copies of witness lists in the order in
8 which the witness may be called to testify.

9 All counsel are to meet not later than ten (10) days before
10 trial and to stipulate so far as is possible as to foundation, waiver
11 of the best evidence rule, and to those exhibits which may be
12 received into evidence at the start of trial. The exhibits to be so
13 received will be noted on the extra copies of the exhibit lists.

14 The Clerk is ordered to serve a copy of this Order either
15 personally or by electronic mail or by mail on counsel for all
16 parties to this action.

17 DATED: December 1, 2000

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19 _____
20 Dickran Tevrizian, Judge
UNITED STATES DISTRICT COURT

21 COPIES TO:

22 ALL COUNSEL OF RECORD
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